Herbert Arden's figure standing at one of the windows, his head and hands alone concealed by the inner shutter which, by an accident, was not wide open, but was turned about half-way toward the panes. He was dressed in dark blue serge, as she had often seen him in life, with rather wide trousers almost concealing the feet, and a round jacket. She had even seen how the cloth was stretched at the place where his shoulders was most crooked, and how it hung loosely about his thin figure below that point. He was standing close to the window, with his back almost quite turned toward her, apparently looking out, though the shutter hid his face. The whole attitude was precisely as she had often noticed it when he was alive, and chanced to be looking at something in the street—the misshapen, protruding shoulder, the right leg bent in more than the other, not a detail was missing as she came upon the vision suddenly in the cold morning light.

The nurse was at her side almost instantly, bending over her and raising her as well as she could. A moment later the maid rushed in—she slept on the other side of the corridor where the nurse had left the lamp—and then Francesco Savelli him-

A moment later the maid rushed in—she slept on the other side of the cerridor where the nurse had left the lamp—and then Francesco Savelli himself, who temporarily occupied a room next to Adele's and who appeared, robed in a wide dressing-gown of dark brown velvet, and showing signs of considerable anxiety. He reached the door before which his wife had fainted and lifted her in his arms. As he regained his upright position his eyes naturally fell upon the figure standing at the window. His sight was not remarkably good, and from the fact of the shutter being half closed the dressing-room was darker than the sleeping-chamber. The impression he had was strong and distinct.

distinct.
"Who is that man?" he asked, staring at what he saw, while he held Adele's unconscious form in

his arms.

The nurse and the maid both started and looked round. The latter laughed a little, involuntarily.

"It is not a man, Excellency," she said. "It is Donna Adele's serge driving cloak. I hung it there last night because there are not enough hooks in the dressing-room for all her Excellency's things.

She went to the window and took the mantle,

in the dressing-room for all her Excellency's things."

She went to the window and took the mantle, which had been hung upon the knob of the old-fashiened bolt by the two tapes sewn under the shoulders for the purpose. The folds of the lower part had taken the precise shape of a man's wide trousers, and the cape, falling half way only, hung exactly like a jacket, the fulness caused by gathering the upper portion together at one point, ziving the appearance of a hump on a man's back.

"That was what frightened her," said Savelli, as he turned away with his burden. "I do not wonder—the thing looked just as Lord Herbert did when he used to stand at the window."

Adele came to herself in a state of the utmost prostration. Her husband explained to her carefully what had happened, and tried to persuade her that she had been the victum of an optical illusion, but, though she did not deny this, he could see that the occurrence had produced a very deep impression on her mind, and had perhaps had an even more serious effect on her nerves. He dispatched a messenger to Rome for the doctor, and after doing all he could left her to the care of her nurse and maid and went out for a walk in the hills, glad to be free for a while from the irksome task imposed upon him when he remained at home.

While making the most desperate attemps to

irksome task imposed upon him when he remained at home.

While making the most desperate attemp's to control herself, Adele was in a state of the wildest and most conflicting emotion. Her strength returned, indeed, in a certain measure after a few hours, but her distress seemed rather to increase than to diminish, when she was able to walk about the room and submit to being dressed. Her maid irritated her unaccountably, too, and at last, giving way to the impulse she had felt so long, she told her that she must go at the end of the month.

The maid, Lucia by name, had for some time expected that her days in Casa Savelh wers numbered, for Adele had shown her dislike very plainly of late, so that the woman dad not show much surprise, and accepted her dismissal respectfully and quietly, promising herself to tell tales in her next place concerning Adele's toilette which, though without the slightest foundation, would be repeated and believed all over Kome.

was quietly scated by a window with a piece of needle-work, and rose respectfully as her mistress

"Send me Giacomo," said Adele, holding the letter in her hand, but as Lucia went toward the door, she stepped her. "No," she said suddenly. "Take this to him yourself: tell him to have it registered at once, and to bring me-back the receipt from the postoffice. Tell him to be careful, as it is very important. I am going to lie down. Come to me some time before sunset."

Lucia took the letter and went out into the corridor. Adele listened a moment, then went back into her room, bolting the door behind her, as well as turning the key in the lock. Since her fright in the morning, she instinctively barricaded herself on that side. But at present the sunshine was so bright and the place was so cheerful that her fears seemed almost groundless.

She lay down and closed her eyes. In spite of all the emotions of terror she had suffered on the previous evening and to-day, and although the writing of any letter so long as the one she had just finished must necessarily be very tiring, she felt better than she had been for a long time, and would perhaps have fallen asleep if the doctor had not arrived from Rome soon afterward.

On learning all that had hampeaged he yielded Send me Giacomo," said Adele, holding the

feit better than she had been for a long time, and would perhaps have fallen asleep if the doctor had not arrived from Rome soon afterward.

On learning all that had hannened, he yielded at last to necessity, and gave her chloral to take in small deses, showing her how to use it. It was evident that unless she sleet she must break down altogether before long, and it was no longer safe to let Nature have her own way. He had brought the medleine with him, and gave it into Francesco's keeping, cautioning him not to let her use it in larger quantities than he had prescribed. After giving various pieces of good advice he returned to the city.

Lucia gave her mistress the receipt for the registered letter, and Adele put it away in the small jewel-case she had brought with her to the country. That night she took the chloral, and fell asleep peacefully before half-past 11 o'clock, not to awake until nearly 9 on the following morning. She felt so much better for the one night's rest that she went for a long walk with her husband, ate well for the first time in many weeks, and went to bed again almost without having felt a sensation of fear all day nor during the evening. Once more the chloral had the desired effect, and on the second morning she began to imagine that she was recovering. The world looked bright and cheerful, the swallows whesled and darted before her windows, and the thrushes and blackbirds sang far down among the fruit-trees. Even Francesco was less tire-some and unsympathetic than usual. She was

wheeled and darted before her windows, and the thrushes and blackbirds sang far down among the fruit-trees. Even Francesco was less tiresome and unsympathetic than usual. She was in such a good humor that she almost repented of having dismissed Lucia.

Then the blow came. The post brought her a letter addressed in a small, even handwriting, very plain and entirely without flourish or ornament—such a hand as learned men and theologians often write. The contents read as follows:

Most Excellent Princess: I have to inform you that I have just received, registered, and evidently addressed by your most excellent hand, an envelope bearing the Gerano postmark, but containing only four blank sheets of ordinary writing-paper. As I cannot suppose that Your Excellency has designed to make me the object of a jest, and as it is to be feared that the blank paper has been substituted for a writing of imbortance, by some malicious person. I have immediately informed Your Excellency of what has occurred. Awaiting any instruction or cellightennest with regard to this subject which it may please you, most Excellent Princess, to communicate, I write myself.

Your Excellency's most bumble, obedient servant. BONAVENTURA, R.R., P.PO., Min. Now Padre Bonaventura of the Minor Order of

Your Excellency's most bamble, obedient servant. BONAVENTURA, R.R., P.PO., Min. Now Padre Bonaventura of the Minor Order of St. Francis was Adele's confessor in Rome. After the long struggle which Lucia had watched through the door, Adele's conscience had got the upper hand, aided by the belief that in following its dictates she would be doing the best she could toward recovering her peace of mind. Not being willing to go to the narish priest of Gerano, who had known her and all her family from her childhood, and who was by no means a man able to give very wise advice in difficult cases, and being, moreover, afraid of rousing her husband's suspicions if she insisted upon going to Rome merely to confess, she had written out a most careful confession of those sins of which she accused herself, and, as is allowable in extreme cases, had sent it by post to Padre Bonaventura.

The news that such a document had never reached its destination would have been enough to disturb most people.

(TO BE CONTINUED.)

(TO BE CONTINUED.)

His Sensitive Nerves .- Mrs. Braggs-Where are you going 1

Braggs—Down to the club. These young ones are making more noise than my nerves will stand, after a hard day's work poring over a lot of accounts.

Braggs (half an hour later)—Hello, Briggs, you were just the man I was looking for. I want you to go to the varieties with me. There is a fellow there who dances the "Boom-de ay" with wooden shoes on in a style that is simply out of sight.—(Indianapolis Journal. JOSEPH HODGES CHOATE. LAWYER.

HIS CAREER AND PROFESSIONAL SUCCESSES-SOME OF THE THINGS HE HAS SAID IN THE COURT-ROOM AND AT THE DINNER TABLE-HIS ENCOUNTERS WITH CONKLING, DEPEW AND OTHERS.

Had Rufus Choate never lived, or had he simply been a reputable country lawyer, without wit, humor, eloquence, scholarly attainments, statesmanship qualities or a brilliant intellect, his kinsman, who delights New-York from time to time and whom New-York occasionally delights to honor, would be even more famous with the great mass of people than he is at present. There is no denying it. Mr. Choate is not a popular hero. To most people, not only outside the city but even here, he exists only as a name, and a name constantly confused with that of his relative. Compared to Mr. Depew, with whom he has divided first honors as an after-dinner talker for a quarter of a century, his reputation, except in his profession, is practically local in its scope. The Central's president is known almost everywhere. He is at home in Chicago, Denver, St. Paul, San Francisco, New-Orleans or London, but Mr. Choate would have to be intro



JOSEPH H. CHOATE. duced to any audience 500 miles from the City Hall. And yet no one denies that he is Mr. Depew's equal in point of mental ability, in effectiveness of speech, graciousness of manner, readiness of wit, spontaneity of humor, rapidity and range of ideas, lucidit; of

statement and mastery of human emotion.

It is hardly just, however, to attribute the limitations of his fame to the overshadowing influence of his cousin. There are other causes. His partnership with William M. Evarts is one. People found it almost as difficult to believe that two leaders of It almost as difficult to believe that two leaders of the bar could be united in one firm as that father and son or uncle and nephew might be equally renowned. So long as Mr. Evarts's powerful personality remained in public view, so long did its shadow rest upon his associate, obscuring him unintentionally, of course, from the gaze of the multitude. But more potent than either of these causes in preventing him from becoming a more conspicuous figure in the national eye is Mr. Choate's own disposition. A genuine New-Englander, democratic in his faith and practice, liberal in his views, broad in his sympathies, and full of common sense, he is nevertheless as retiring. fully and quitely, probleming hereeff to be the constraint to be united in one firm as that father and though without the slightest foundation, would be repeated and believed all over Rome.

Later in the day Adele shut herself up in her roofs at the time when the suashine was streaming in and making everything look bright and cheerful. She stayed there a long time, and the thoughtful Lucia, watching her through the keyhole, saw with surprise that her mistress spent almost an hour upon her knees before the dark old crucifix which hung above the prayer-stood opposite to the door of the dressing-room. She noticed that Adele from time to time beat her breast, and then buried her face in her hands for many minutes. The nurse was asleep far away and Lucia was quite safe. At last Adele rose, and, as though acting under an irresistible impulse, sat down at a table on which she kept her cown writing materials, and began to write rapidly. For a long time she kept her seat, and her hand moved rapidly over the paper. Then, when she seemed to health the seemed to health the seemed to he done of the dressing toom to relative the lengthy letter and slipped it into a large envelope, on which she wrote an address before she left the table a second time. When she opened the door of the dressing-toom to call Lucia, the maid was quietly scated by a window with a piece of needle-work, and rose respectfully as her mistress moved from their domain of every day life, and hence moved from their domain of every day life, and hence moved from their domain of every day life, and hence moved from their domain of every day life, and hence moved from their domain of every day life, and hence moved from their domain of every day life, and hence moved from their domain of every day life, and hence moved from their domain of every day life, and hence moved from their domain of every day life, and hence moved from their domain of every day life, and hence moved from their domain of every day life, and hence moved from their domain of every day l moved from their domain of every day life, and hence they are content to see him as Pindar says he saw

Archilochus-at a distance. HE SEEKS NO OFFICE.

If further cause should be sought for this apparent lack of appreciation on the part of the masses of Mr. Cheate, it may be found in his aversion to public Mr. Choate, it may be found in an a candidate for an elective office, and has never sought appointment at the hallds of the Federal, State or City Governments. "I suppose my friends knew I did not want public office," he once remarked, "and that is why they never nominated me." He has been content with the honors that come from his remarkable professional nonors that come from his remarkance professional success, his occasional appearance at important public dinners, in exciting campaigns, and in critical stages of our municipal affairs; in his prominence in the Union League Club, of which he has been president. and his intimate connection with his beloved New England Society, of which he is one of the most devoted members. This is the natural trend of his life, not because he is lacking in public spirit, not because he is indifferent to the cause of good govern-ment or the needs of the people, but simply because he is absorbed in his professional labors and feels that his services are not required in party manage ment or public affairs. But when the need of his aid is apparent, when a public task worthy of his powers demands attention, he is as quick to respond as any citizen of the metropolis. When there is a street Cleaning Commissioner to be arraigned, a member of the bar to be saved from being sent to jail because of his reckiess devotion to his client's interests; when an arrogant element of the population is to be good naturedly reminded of fits faults; a theft of a State Legislature to be exposed, or a Tweed Ring to be overthrown, Joseph H. Choate is among the first to answer the call of duty.

HE MIGHT HAVE BEEN GOVERNOR.

One of his friends remarked the other evening that Mr. Choate might have been Mayor of this city or Governor of the State long ago if he had displayed half as much tact and discretion in political matter.

as he does in the court room.
"Just look at it," continued this friend, "here is a city controlled by the Irish. They have ruled it for years, and it looks as if they might continue to do so for years to come. I say the Irish for Tammany Hall is simply another name for them; no other element amounts to anything in the wigwam. Their influence is all-powerful; they dominate everything. Not a single city department is outsid: their jurisdiction. All the pay-rolls and the patronage are in their keep-ing. Even the Judiclary, with a few notable exceptions, is subservient to their wishes. The Courts tremble at their nod. And yet Choate does not hesitate to set them by the ears by making a speech while a guest at the St. Patrick's dinner that made his hearers hot in the neck and ready to pound the man who had the temerity to have a little fun at their expense. Of course we all enjoyed it, and all sensible people, Irish as well as American, indorsed what he had said, but it was not politic on his part. This illustrates what I say, that Brother Choate is not a good politician."

Possibly, as the term politician is ordinarily understood, but it is precisely this quality in Mr. Choate, this readiness to say what he really thinks, the free-dom from cowardice, this detestation of truckling to ignorance and brutality in authority, this absolute independence that makes sober-minded, patriotic citizens look up to him with so much respect and confidence. And this element of his character is no new development; it has always been one of his striking characteristics. He talked unreservedly, it is true, to the Sons of St. Patrick the other evening. is true, to the Sons of St. Patrick the other evening, but his satirical allusions were not a bit more strong than those he indulged in twenty-five years ago when he had just begun his career here. In a speech hefore the New-England Society at Delmonico's in 1865, with Recorder (afterward Governor) Hoffman, General Hancock, Admiral Farragut, Theodore Titlen, the Rev. Dr. Bellows and Senator Lane among the invited guests, he welcomed the representative of the St. Patrick's Society with these playful remarks; "And now, let me pay the last and best respects to the representative of St. Patrica, who, in the disguise of a heavy sympathizer, comes among us, nevertheless, an enviable reputation. The legal heavens were studded as our master and despot; and yet I regard it? with stars of such lastre that the modest young

to govern not only us but in these latter days the prophetic Republic of Ireland, too, he has determined in the goodness of his heart that yet a little longer, HUMORIST, PURITAN AND ORATOR.

ORATOR.

ER AND PROFESSIONAL SUCCESSES—
THE THINGS HE HAS SAID IN THE -ROOM AND AT THE DINNER

In the goodness of his heart that yet a little longer, at least a twelvementh more, he will tolerate the presence of the hated Yankee; and I doubt not, as we hold our license at his will and pleasure, we shall have leave, at least until our next anniversary comes around, to peddle our little notions and get rid of our little wares in this metropolis without the dread of his shillelagh being cracked about our heads."

USED TO SUCH CRITICISMS.

This little sally caused as much hubbub at the time, according to tradition, as his recent address on St. Patrick's Day, but the criticism that followed had no more effect upon him in making him less outspoken than what has been said during the last few weeks by Mayor Gilroy and those in sympathy with him has had. He is accustomed to such criticism. He understands it thoroughly. He knows that it is based upon ignorance, narrowness, prejudice. There is not a more zealous advocate of freedom for all nations, Ireland as well as America, than Mr. Choate. but his belief in Home Rule does not blind him to the public sins of omission and commission, particularly the latter, of the Irish Democrats in this city.

But he is not more ready to denounce Irish Tammany transgressors than he is those of any other nationality. His memorable treatment of Benjamin F. Butler while that politician was Governor of Massa-

chusetts, illustrates this remark.

Some years ago an official dinner was to be given at Cambridge by an association of which Senator Hoar, of Massachusetts, was the president, and Phillips Brooks and Mr. Choate were the vice-presidents. It has been etiquette for a century for the Governor of the State to come to that dinner. The Governor had usually been a graduate of Harvard College, but there had been an upheaval. General Butler was Governor. Senator Hoar would not receive him. Phillips Brooks went to Europe. There was nobody in Massachusetts who could or would fill the difficult position. They had to send to New-York for Mr. Choate to preside. It was wonderful to note the tact with which he meted out to the Governor the respect due his position, and at the same time administered to Benjamin F. Buther a castigation such as suited the outraged feelings of the guests. The castigation was well fitted, because General Butler had formerly sald many severe things about his entertainers and their college. The next year a Harvard man was again Governor of the State, and Mr. Choate alluded in his annual address to the fact that "grim-visaged war "-General Butler-"had smoothed her wrinkled front."

HE REBUKES A JUDGE.

Another display of this quality, so thoroughly in grained in Mr. Choate's character, was before Judge Van Brunt. The judge has a habit which sorely dis-tresses members of the bar who appear before him, particularly young men, of talking to his associon the bench while the lawyers are delivering their speeches. At times this becomes exasperating, but the lawyers have not, as a rule, the temerity to complain, for they recognize the power of the Court, and Judge Van Brunt, with all his estimable qualities, has a manner that causes him to be held in dread as pleasant relations as possible with the Court. Choate was about to make the closing speech in highly important case. Forty minutes had been al-lotted him for the purpose. He had scarcely uttered a dozen words when Judge Van Brunt wheeled around in his chair and began a discussion with Judge Andrews. Mr. Choate ceased speaking immediately, folded his arms, and gazed steadily at the judges, his handsome face a trifle paler than usual. A hush fell upon the courtroom. Judge Van Brunt, noticing he stillness, turned around and looked inquiringly at

the silent advocate.
"Your Honor," said Mr. Choate, "I have just forty minutes in which to make my final argument. I shall not only need every second of that time to do t justice, but I shall also need your undivided atten-

"And you shall have it," promptly responded the judge, at the same time acknowledging the justice of the rebuke by a faint flush on his cheeks. It was an exhibition of genuine courage, but one that was more fully appreciated by members of the profession than by the laymen who witnessed it.

SOME APT ILLUSTRATIONS.

These illustrations might be supplemented with Goff from the wrath and condemnation of Recorder Smyth and the Police Department; of his vigorous denunciation before the Mayor of the incompetence definition before the Mayor of the incompetence of Tammany's Street Cleaning Commissioner; of its open defiance of Judge Truax when that dignitary of the bench attempted, as Mr. Choate thought, to deprive him of its rights; of his hearty espousal of the cause of Dorman B. Eaton, when he had been brutally assaulted and nearly killed for exposing the doings of Fisk, Tweed and their rascally tools on the his associates. But enough has been told to justify Mr. Choate's courage. Somethnes, not often, this has appeared in an unfavorable light, as when, for inance, he appeared in defence of Mayor Grant when Mr. Grant was sorely pressed by the State Senate Inrestigating Committee, and telling most entertaining stories of his ten thousand dollar presents to little Flossie Croker. To be sure, Mr. Cheate appeared in this case in a purely professional capacity, but the weight of his presence and power was, nevertheless, thrown on the side of a corrupt municipal government, a fact that will be long regretted by his truest

COLLEGE DAYS AND EARLY LIFE.

Before recounting his exploits in the professional field and his triumphs at public dinners and meetings, a bit of biography will be in order. This is not a nackneved theme. Mr. Choate's career has not yet seen described save in skeleton form. Not much nore than an outline can be given here, for it is difficult to collect the material. He will not talk of himself for publication. This might be forgiven if he would only follow the example of other worthy peowho, in apparent horror of publicity, wave the interviewer, aside to their private secretary, who supplies enough matter to fill a volume. Mr. Choate as a private secretary, and a most estimable young man is Mr. Rowe, but he is kept so deeply immerse in briefs and authorities that he never has a moment to devote to a scrapbook or to recording an anecdote. His contribution to this article consisted of some ponderous tomes of court proceedings about as valuable for biographical purposes as a city directory. Not from him, therefore, but from other sources, it was learned that Jeseph Hodges Choate was born in the salem of Hawtlorne on January 24, 1832, and that his father was a cousin of Rafus Choate, who was then just entering his second term in Congress to distinguish himself by a great speech on the tariff.

AN OLD NEW-ENGLAND FAMILY.

The family was one of the oldest in New-England. The earliest ancestor, John Choate, became a citizen of Massachusetts in 1667. The grandson of this first ancestor, also named John, was a member of the Massachusetts Legislature from 1741 till 1761, and for the five years following a member of the Governor's Council. The family was noted throughout for its strength of character and mental vigor. David, a son of the Massachusetts legislator, and the father of Rufus, was not trained in law, but on one occa sion when he had a suit pending in court and hi counsel happened to be absent, he took up the case himself, examined his witnesses, tore to shreds the testimony of the other side, made a sound and e quent argument and won the case. No doubt some interesting stories might be told of Joseph's boyhood and schooldays, but the chroniciers are silent regarding that period. They say nothing as to whether he was precoclous like his famous relative Rufus, who when a small boy could repeat from memory page after page of the "Filgrim's Progress," or whether his intellectual powers were of more gradual growth. Rufus Choate was a devoted alumnus of Dartmouth, but Joseph went to Harvard, and was graduated in the class of '52. Phillips Brooks was in college of Mr. Choate frequently describes the great preacher as he saw him the first time, a tall, ungainly youth, but with a manner so trresistible that he captivated his classmates almost instantaneously. After graduation Mr. Choate spent two years at the Dawe Law School, and received the sheep skin at the

end of the term.

In 1855 he was admitted to the bar in Massachu setts, and in the year following he came to New-York and has practised here ever since. His brother, William Gardner Choate, who became United States Judge for the Southern District of this State, went through college and the law school with him.

HE BEGAN IN THE GOLDEN AGE. The period in which Mr. Choate began his care here is commonly referred to as the golden age of the metropolitan bar. James T. Brady was a conspicuous figure in the popular eye. Charles O'Conor had already made a deep and lasting impression. Mr. Evaris was la the front rank of politics as well as of law. Mr. Hoffman was equally prominent on the Democratic side, and Mr. stanford's brilliancy and

came in due time. An opportunity was given him to display his qualities as an advocate. He was closely watched by the veterans who knew his kinsmen. When he had finished his first important speech they agreed that he was worthy to bear the family name. Mr. Evarts was porticularly attracted to him. A partnership was formed. It continues to this day. It was more than a professional associa-tion; they were united by the bonds of friendship that have never been severed. In every way possible Mr. Evarts opened the path of advancement socially and politically, as well as professionally, for his young associate. Success and fame came quickly, and Mr. Choate has never failed to show the most grateful

appreciation of what Mr. Evarts did for him.

The firm is generally looked upon as the leading law firm in the country. Its practice is enormous. its income very large. John E. Parsons is said to have made the largest amount of money ever earned by a lawyer in a single year, including \$100,000 for organizing the Sugar Trust-but aside from such ex-ceptionally large fees as this, Mr. Choate is said to enjoy the most lucrative practice, though his fees

are not looked upon as excessive by any means.

"The great lawyers," said William G. Peckham, the well-known authority on elevated railroad land damage matters, "who were his predecessors, such, for example, as his relative, Rufus Choate, tried trifling country lawsuits all their days, with an occasional case of magnitude, but even this involved an amount which would be inconsiderable in the present Choate's practice. So it was with Erskine and Nicholas Hill, and even Daniel Webster. It is frequently remarked in court circles that the great lawyers who are Mr. Choate's contemporaries divide among them one-half of the business of the first magnitude, and Mr. Choate has the other half to himself. Now, why is it? His method goes right home to the human heart, whether it be the beart of a judge or the heart of a juryman, just the same as he reaches the centre of the affections of the Germans who go from Tompkins Square to Cooper Institute. Where other lawyers are solemn and portentous, or wild or otherwise unpleasant, Mr. Choate is humorous and human. Other lawyers in all the annu's of legal eloquence tried to reach human nature by some dregitous method, or by some method that human nature balked at. Mr. Choate talks just as high as the heart of the judge or juryman. puts on no lofty airs, but often speaks with his hands in his pockets. He does not strive to stir up dark While he is always a little keener, a Mttle finer, and more witty than the man in the box or on the bench, yet he is always a brother man to him." THE GREAT HUNTINGTON TRIAL AND OTHER

A history of Mr. Choate's professional career would require a sketch of a majority of the great cases that have been tried here since the war. It would involve, among others, the story of the Tweet Ring presecution, of the protracted investigation of the case of General Fitz-John Porter, whom he defended at West Point before the board of officers appointed by Fresident Hayes, which resulted in the reversal of the indement of the original court-martial; of the celebrated libel suit instituted by Gaston L. Feuardent against General Cesnola, whom Mr. Choate successfully defended; of the Tilden will case; the contest over Commodore Vanderbilt's millions; the Chinese exclusion case, in which he argued against the validity of the act; his appeal to the Supreme Court in behalf of David Neagle, who shot Judge Terry in defence of Justice Field, and whose act was decreed to be no violation of the law; the Stokes will fight; the case of Manchester against the State of Massachusetts be-fore the United States Supreme Court; the Behrinz Sea controversy, and the memorable suit brought by David Stewart in 1881 against Collis P. Huntington for the payment of a large sum of money, which the plaintiff declared was due him under the terms of agreement that he made with Huntington at the time when he purchased a block of Central Pacific stock from the defendant.

This case was one of ususual interest to the pub-ite. All the persons involved were well-known, and the recital of the doings of the "Big Four" of the Pacific Coast, Huntington, Hopkins, Crocker and Stanford, in connection with the Central Pacific's construction, which was brought out by the trial, made an entertaining chapter at the hands of Mr. Choate, who appeared alone for Mr. Stewart. His rival in a dozen contests, Francis N. Bangs, whose passages at arms with him in the Cesnola case will long be remembered, and Roscoe Conkling, then in the prime of his intellectual life and entirely devoted to his law practice, and been retained by Mr. Huntington, They an entertaining chapter at the hands of Mr. Choate. made a formidable pair of defenders. Mr. Choate made the most of this fact with the jury. "I doubt. gentlemen," he said, "whether any man ever had to contend alone against so powerful a combination. In the first place, there is the defendant himself, one of the three great rallway monarchs of the world. all powerful throughout the length and breadth of the land, and he has called tere to aid him, as was his right, the greatest powers of the bar, the most astute. most skilful of our profession, and," with a graceful wave of the hand toward Mr. Conkling, "the very Demosthenes of our time. And yet I do not feel en tirely alone or entirely unarmed. I have the evidence in this case with me, and if I can put that little weapon in my sling and aim straight at his forehead, the recent Gollat's of the confinent is bound

to bite the dust." HOW HE SEIZES AN ADVANTAGE.

The marvellous rapidity with which he takes advantage of every point and sees the elements in every situation that are favorable to him was exhibited to advantage on this trial again and again. Mr. Huntadvantage on this trial again and again. Mr. Indi-ington while on the stand proved, from the layman point of view, a poor witness for Mr. Choate. His memory was sadly defective. Mr. Choate's most skil-ful cross-questioning could elicit from him little if any specific information as to the operations of the famous Contract and Finance Company. His counsel smiled blandly and the plaintiff himself looked gloomy. But observe with what telling effect Mr. Choate used

this temporary triumph of his opponent:

"My learned friends upon the other side," said he in closing, "have expressed a little regret and a kind of reluke for me because I described their client as the Jay Gould of the Pacific Coast. Now, gentle men, a great historical person like Mr. Gould we speak of without personality, and I challenge your attention to the appearance of this defendant on the stand to say whether he has not filled the bill. Re-member that dreadful Black Friday, when the wizard of the New-York stock market pulled the wires be honest men, and afterward, when called in a court of justice to describe the proceedings of that day, h knew absolutely nothing about it, although it was all his own work. And positively as to a certain check he had drawn, he could not say whether it was for five million or ten million dollars. When Mr. Huntington took this stand, and swore that as to the dividends he had received from the Contract and Finance Company between October, 1867, and May, 1870, he would not tell whether they were one million or two millions, three millions, four millions or five millions—did he not fill the bill !"

Mr. Conkling bod in-isted that his client was no responsible for what his associates had done on the Pacific Coast. To this Mr. Choate responded: "Well. gentlemen, it reminds me of an allbi that was introduced in another famous case. You remember when Mr. Tony Weller was called in consultation about the defence of Mr. Pickwick, in whose arms the fair widow who sued him had been found dissolving in tears, and he said: Sammy, my advice to you is to prove an allbi.' Some defendants, when brought to trial, believe in character, and some in an alibi; but I advise you to stick to an alibi and let the character go. This double of Mr. Huntington, under whose cover he exists, and is in two places at the sam time-on the Atlantic and the Pacific-my distin-guished friend said it was a romance, the connection between him and Mark Hopkius. I thought, gentle-men, of that other romance, the story of 'My Double and How He Undid Me,' and it seems that the de-fendant was then to undo him in this case—this Mark Hopkins, by whom he was represented absolutely, completely, and without any limitation whatever, so that you might say that when Mr. Huntington took snuff on the Atlantic Coast, Mr. Hopkins sneezed on the Pacific."

HIS TRIBUTE TO MR. CONKLING.

A little further on he paid a glowing tribute to Mr. Conkling—one, it is said, that the ex-Senator held in grateful remembrance. "However we may differ," said Mr. Choate, "one from another, or all of us from him, we owe the Senator one debt of gratitude for standing always steadfast and incorruptible in the halls of corruption. Shadrach, Meshech and Abednego won immortal glory for passing one day in the flery furnace, but he has been twenty years there and has come out without even the smell of smoke upon his garments."

these powerful adversaries, but Mr. Choate never failed to hold his own and usually came off victorious. In the course of one of his speeches Mr. Conkling quoted a published description of Mr. Choate's appearance. It provoked a laugh, in which the victim joined good-naturedly. But when he came to reply of uncommon hope, because of the assurance that it gives us that in this great Irish city, the seat of ct. Patrick's power, where he sits enthroned in majesty out his shingle and began to look for clients. They

a description of my face and features that he gathered from a newspaper. I do not like to lie under this imputation and I will return it. But, gentlemen, not from any newspaper—oh, no! I will paint his picture as it has been painted by an immortal pen. I will give you a description of him as the divine Shake-speare painted it, for he must have had my learned friend in his eye when he said:

See what a grace is scated on this brow; Hyperion's curl, the front of Jove himself; An eye, like Mars, to threaten and command— A combination and a form indeed, Where every god did seem to set his seal, To give the world assurance of a man.

In the general laughter that greeted this quotation

Mr. Conkling joined. "Well done," said he. "You stated that first class, Choate."

HIS QUOTATIONS FROM SHARESPEARE. Shakespearean quotations are in great favor with fr. Choate. He uses them and all others, for that matter, with moderation and only when they are apposite. Many people remember a hit which he scored in the Cesnola trial illustrative of this. Clar-nce Cook, the art critic, had given testimony unfavorable to General Cesnola, whom Mr. Choate was defend-ing. Something was developed on the cross-examina-tion that materially weakened the statements made by the witness, whereupon Mr. Choate turned, his countenance expressive of well-assumed indignation, and, pointing his finger at Mr. Cook, said dramatically :

"False, fleeting, perjured Clarence!" His tilts with Mr. Bangs, however, were most fre quent and most severe. Nothing could be more striktestants. Mr. Bangs was impulsive, excitable; Mr. Choate has never yet, it is said, been known to lose control of himself in court. No matter what happens, no matter what is said, he invariably remains cool and complacent. This gave him an important advantage over Mr. Bangs, who remarked more than once that his "life would be shortened by that fellow Choate." But he was able to give hard blows, too. Choate." But he was able to give hard blows, too.
Once in the Cesnela trial Mr. Choate
staggered him by the apt quotation of some section
of statutory law. It was so thoroughly applicable to the point under discussion that
Mr. Bangs was at a loss for a moment how to meet
it. "My learned brother and I," he began, "tried a
case or two before Judge Wheeler some time ago.
He is now using what knowledge of the law he managed to glean from me then before this Court. This I submit is hardly fair."

Mr. Choate instantly rejoined: "Really, I had forgotten that you ever said anything relating to the

"Very likely," responded the other, "but whatever law you give is easily traceable to its source. Modesty forbids me saying more."

DASHES OF WIT AND HUMOR.

Mrs. Paran Stevens was sued by Richard M. Hunt, the architect, for services in building the Victoria Hotel. In summing up Mr. Choate said: "For the last week, gentlemen of the jury, we have been engaged here th bitter contest. It has tired us all.

week, gentlemen of the jury, we have been engaged here th bitter contest. It has tired us all. Coming by my children's nursery door this morning it was soothing to the ear to hear the children recite the nursery ballad of The House that Jack Built, for this, gentlanen, is the house that Jack Built, for this, gentlanen, is the house that Jack Built, for this, gentlanen, is the house that Jack Built, for this, gentlanen, is the house that Jack Built, for this, gentlanen, is the house that Jack Built, for this, gentlanen, is the house that Jack Built, for this, gentlanen, is the house that Jack Built, for this, gentlanen, is the house that Jack built. My client is the unfortunate Jack, and," with deference, "you, madam," bowing gracefully to Mrs. Stevens, "may be called the middle that milked the cow with the crumpled horn, which might stand for the somewhat crumpled horn, which may years.

One of Mr. Choate's friends describes a scene before Indian tinsurance company as "vamplres, bloodless monsters that feed on the blood of the people," etc. It was a savage address of the old-fashioned style. When Mr. Parsons sat down the courtroom seemed to buzz. Mr. Choate was lying back in his chair, with his cyst to the ceiling and his hands in his pockets. "If your Honor please, and gentlemen of the jury," said he, "do you know what a vamplre really is." Look at the Quaker gentleman who is the president of this company. He sits there in his Quaker clothes and white neckcloth. Look at that innocent young man, his attorney, who sits next him and has a smile on his face. You thought vamplres were something out of the way when Brother Parsons described them, but these are regular, genuine vamplres."

The excitement of the spectators merged into a langh and then into a feeling friendly to the speaker. In a Cooper Institute meeting t

AT THE NEW-ENGLAND DINNER. But to hear Mr. Choate at his best one must go to as he calls them, of an "unhappy company of Pilgrims who meet annually at Delmonico's to drown the sor-rows and sufferings of their ancestors in the flowing

who meet annually at Delmonico's to drown the sorrows and sufferings of their ancestors in the flowing bowl, and to contemplate their own virtues in the mirror of history"—particularly if Mr. Depew is there too. In the words of sceretary Hubbard, who Mr. Choate insists came over in the Mayflower, "it is a rare treat." Everybody knows that Mr. Choate will have some fun at the expense of his famous rival, and everybody knows that Mr. Depew will not spare him in return.

Mr. Choate was once delivering the opening address on his pet theme, "Forefulhers' Day." Mr. Depew was to follow with a toast to "The State of New-York." "One day last week," said Mr. Choate, "I was waited upon by a representative of one of our great metropolitan dailies with a polite request that I should furnish him with a copy of the speech I was to deliver this evening, in order that it might be 'set up' at the latest on Monday morning for publication to-morrow. "God bless you,' said I, 'I have no copy to give you. How can I make an after-dinner speech until I have made sure of my dinner!" Well, he seemed a little chopfallen, but proceeded to argue the matter, "Why,' said he, 'we have got all the rist.' Surely,' said I, 'you have not got Depew's.' 'Oh, yes,' said he, 'we have got lim cold type.'"

A roar of langther followed at the expense of the Central's president.

After awhile it was his turn, "The reporter who called on me for my speech," he remarked, "said to me, as he said to Choate: 'I have them all.' but also added: 'Have you any poetry in yours?' Said I: 'No.' 'Well,' said he, 'Choate has, and after reading it I came to the conclusion that he must have written it himself.'"

GENERAL PORTER AND MR. DEPEW.

At one dinner General Porter and Mr. Depew were both present. Mr. Choate's face fairly beamed with delight as he extended to them a greeting that brought down the house. "I am sure," he said, "you would not allow me to quit this pleasing programme brought down the house. "I am sure," he said, "you would not allow me to quit this pleasing programme if I did not felicitate you upon the presence of two other gentlement—those twin-rall fellows, well met at every festive board, without whom no banquet is ever complete. I mean, of course, Mr. Depew and General Porter. Their splendid efforts on a thousand fields like this have fairly won their golden spurs. I garget whether it was Pythagoras or Emerson who haally decided that the soul of mankind is located in the stomach, but these two gentlemen, certainly, by their achievements on such arenas as this, have demonstrated at least this rule of anatomy, that the pyloric orifice is the shortest cut to the human brain. Their well-won fittle of first of dinner crators is the true survival of the filtest, for I assure you that their triumphant struggles in all these many years at scenes like this would long ago have laid all the rest of us under the table. If not under the sod. And so I think in your names I may bid them welcome, thrice well-come—duo fulmina belli."

His speeches on these occasions sparkle with wit and glow with humor. "Now," said he once, glancing up admiringly at the gallery in Delmonico's diulingroom, which had just been filled with ladles, "now I understand what the Scriptural phrase means, "Thou madest man a little lower than the angels,"

His response to a toast to the fair sex is well known, but it will bear repetition: "And then women, the better-half of the Yankee world, at whose tender summons even the stern Pilgrim serve ever ready to spring to arms, and without whose aid they hever could have achieved their historic title of the Pilgrim Fathers. The Pilgrim Fathers, because they had not only to bear the same hardships that the Pilgrim Fathers besides."

HIS NEW-ENGLAND PATRIOTISM.

HIS NEW-ENGLAND PATRIOTISM.

He is not, however, all mirth. With all his please antries he is still the New-Englander of conscience, culture and fervent patriotism, and the manner in antries he is still the New-Englander of conscience, culture and fervent patriotism, and the manner in which he blends these qualities with his humorous atterances is sometimes most delightful. Take, for example, his introduction of General Sherman, "I do not know," said he, "that the great General of our armies drew his first breath upon New-England soil, but this I know, that he has caten so good a share of so many New-England dinners that a full current of New-England blood must now flow in his veins. He was a leader of New-England hosts' long before he ate his first dish of pork and beans at your table. When, following the glorious soil of John Brown, that always marched on before, he led his buttalions of Yankees through Georgia, from Atlanta to the sea, he was writing a genuine chapter of the Pligrim's profess."

He can be serious, too, and when he is few rise higher in flights of eloquence. "How," he asked in introducing General Grant, "could the United States of America be so fitly represented and responded to as by that great solder, who long ago spoke for her ut the cannon's mouth in thunder tones that still echo around the globe?"

Nothing seems to stir his spirit like the Pilgrims, whose history he has written, and written well, in two large volumes. Here is one of his glowing periods, the peroration of a New-England dinner-speech: "When that little company of Nonconformists at Scrooby, with Edder William Brewster at their head, having lost all but co-science and honor, took their lives in their hands and fled to Protestant Holland, seeking nothing but freedom to worship God in their own way, and to earn their scanty bread by the swent of their brows: when they tolled and worshipped there at Leyden for twelve long suffering years: when at last, longing for a larger likerty, they crossed the raging Atlantic in that crasy little bark that bore at

the peak the cross of St. George, the sole em their country and their hopes; when they is the dead of winter on a stern and rockboun when they saw, before the spring came arou of the number of their dear comrades perish and want; when they knew not where to is heads.

and want; when they knew not where to lay there heads—
They little thoughs how clear a light
With years should gather round this day,
How love should keep their memories bright,
How wide a realm their sons should way.

How the day and the place should be honored as the source from which trae liberty derived its birth, and how at last a Nation of fifty millions of freemen should bend in homage over their shrine. We honor them for their dauntless courage, for their sublime virtue, for their self-denial, for their hard work, for their common sense, for their hard work, for their common sense, for their raging thirst for ilberty. In common with all those generations through which we trace our proud lineage to their hardy stock, we owe a great share of all that we have achieved, and all that we enjoy of strength, of freedom, of prosperity, to their matchless virtue and their grand example. So long as America continues to love truth and duty, so long as she cherishes liberty and justice, she will never tire of hearing the praises of the Pilgrims or of heaping fresh incense upon their altar."

FROM BENCH AND BAR.

GATHERED FROM LAWYERS AND AMONG

THE COURTS. Judge Roger A. Pryor, of the Court of Common Juage Roger A. Pryor, of the Court of Common Pleas, is enjoying the comparative quiet of a judicial office after an unusually varied career. He has been in turn editor, duellist, Congressman, soldier, prisoner of war and practising lawyer, and was no mean ad-versary in any of those varied fields of conflict. Judge Pryor was born in Petersburg, Va., nearly sixty-five years ago. After a course in two colleges he was engaged on the staff of "The Washington.

Union," and later was Editor of "The Richmond In



JUDGE ROGER A. PRYOR.

quirer." He also published a newspaper called South," advocating the extreme State rights view in politics. He served for a short time in Congress just before the war, and made some Bry speeches. He was an earnest advocate of the War of Secession and was present when the first gun was fired in that conflict. He became a brigadier-general in the Confederate Army, and in the latter part of the war was a prisoner in Fort Lafayette. He came to North in 1865, and has lived in Brooklyn or New-York for a quarter of a century. He was one of the counsel for Theodore Tilton in his suit against the counsel for Theodore Tillon in his suit against the
Rev. Henry Ward Beecher. As a lawyer he advocated on several occasions the rights of labor unions,
and was supposed to be a favorite among the laboring
classes. He was one of the counsel in the defence
of the Aldermanic bribery cases. He was appointed
by Governor Hill to fill a vacancy on the bench of
the Court of Common Pleas, and afterward was elected
to the little and fewerer weeks. for the full term of fourteen years. The courtesy o his manner and the fine diction of his judicial opinions have made him especially marked among the judges in the superior city courts. Some of his opinions have been among the most eloquent and forcible in expression which have recently appeared in the volumes of reports. He has unfailing politeness toward the members of the bar who appear before him, and is socially a favorite.

"The Albany Law Journal," which is to be dis posed of at a receiver's sale this week, has had an honorable, if not remarkably prosperous, history. It is the only weekly law journal in the East which has attained any considerable reputation outside of the city in which it is published. Its editor is an able writer, with an especially keen appreciation of the odd and humorous phases of the law. nal." however, has not add with the changed systems of law reporting and the present taste of members of the bar. It has not been its policy to pay for contributed articles. and outside of the page or two of editorial matter it has usually been filled with reports and abstracts of members of the profession the opinions of courts earlier than they can appear in "The Law Journal." and the need of a publication of this character in which a selected series of cases shall form the principal feature does not exist to the same degree as when the publication of "The Law Journal" began. If conducted on a more modern system it may have, after it passes out of its present financial difficulties, a prosperous career.

An address last week by Dr. Spitzka, a well-known allenist, and articles in "The New York Law Journal" and other law periodicals have had as a theme the giving of expert testimony, especially in criminal trials, such as those of Carlyle W. Harris and Dr. Buchanan. The suggestion is made that physicians be appointed by the State, who shall receive compensation whether they testify favorably or unfavorably to the presecution. The testimony of such experts, it is argued, would be entitled to and would receive greater consideration in the minds of jurors than the evidence of physicians who are employed on one side or the other. "The Law Journal," pointing out one of the principal objections to this proposition, says: "It would tend toward perpetuating the greatest evil of the expert system—the substitution of opinions of professional men for the judgment of the jury." The jurors might believe that experts appointed by public authority were certain to be impartial and well qualified, and so might give undue weight to their opinions. The Government experts would still be liable to bias or to the effect of some unconscious influence, and might be led into mistakes. present system by which jurors, ignorant of technical matters but having the ordinary experience of life, hear differing views and decide as best they can hear differing views and decide as best they can seems to be the fairest to accused persons, and has not led to many important failures in enforcing the laws. Medical experts, under the present system, do not usually vary their opinions so much on account of the money involved as because their pride leads them to desire to prove that their opinions originally expressed are correct, and they thus color their evidence, often unconsciously. Most of these errors, however, are corrected by the good sense of the jurors or the judge, and a just decision may be obtained, Experts are called not only on medical questions, but on those affecting real estate, the value of buildings, and many other subjects. If the proposed system of Government experts were to be carried out, it would be necessary to appoint not alone physicians, but those skilled in every profession and trade, to give their opinions on the thousand different questions which constantly arise.

While two of New-York's ablest lawyers, James O. Carter and Frederic R. Condert, have been in attendance at the Behring Sca tribunal, another, Joseph H. Choate, has argued with great force and ability before the United States Supreme Court as to the constitution-ality of the Chinese Exclusion law. All of these leaders of the bar have sustained the city's reputation in the various tribunals. The president of the Behring Sea tribunal, with all a Frenchman's art of making dis-criminating compliments, praised Mr. Coudert for his "great ability, liveliness and humor." He had already praised the high moral tone of Mr. Carter's address. The addresses of the American lawyers have been the com-plement of each other, the one arguing on high gen-eral principles and the other discussing, with great keenness and eloquence, the evidence in the case. Mr. keenness and cloquence, the evidence in the case. Mr. Choate's speech on Wednesday was bright and forcible. A timely article on the Chinese question by John Eassett Moore appears in the current number of "The Columbia Law Times." Professor Moore, who is expecially well qualified to discuss the question, reviewe the history of legislation against the Chinese so that the perusal of the article enables the reader intelligently to understand the quistions to be submitted to the United States Supreme Court.

United States Circuit Judge Taft, of Ohio, recently gave a decision holding that the owners of passengers, elevators are liable as common carriers of passengers. The Minnesota Supreme Court and the highest court of California have within the last few years decided.

that as to the care of machinery this rule applies, and Judge Taft extends it to liability in other respects. The owners of elevators will, under this rule, be held to the highest degree of care which human foresight could suggest. The standard is more severy than any usually been applied to individuals, although in the old stage coach days it was enforced against company.